

LEGAL DESCRIPTION

PARCEL 'A'  
THAT PORTION OF MARTIN TAFTEZON DONATION LAND CLAIM IN SECTION 35, TOWNSHIP 33 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, DESCRIBED AS FOLLOWS:  
BEGINNING AT A POINT 2051.1 FEET SOUTH AND 1361.1 FEET WEST OF NORTHEAST CORNER OF SAID TAFTEZON DONATION LAND CLAIM;  
THENCE NORTH A DISTANCE OF 200 FEET TO THE TRUE POINT OF BEGINNING OF THIS DESCRIPTION;  
THENCE NORTH A DISTANCE OF 760 FEET;  
THENCE WEST A DISTANCE OF 226.8 FEET;  
THENCE SOUTH A DISTANCE OF 960 FEET;  
THENCE EAST A DISTANCE OF 126.8 FEET;  
THENCE NORTH A DISTANCE OF 200 FEET;  
THENCE EAST A DISTANCE OF 100 FEET TO THE TRUE POINT OF BEGINNING;  
EXCEPT THE WEST 5.4 FEET THEREOF CONVEYED TO ERIC ELMOGEN AND MARGOTH ELMOGEN, HIS WIFE, BY DEED DATED JANUARY 27, 1942 AND RECORDED FEBRUARY 4, 1942, UNDER AUDITOR'S FILE NO. 45984, IN VOLUME 55 OF DEED, PAGE 170, RECORDS OF ISLAND COUNTY, WASHINGTON;  
ALSO EXCEPT THE FOLLOWING DESCRIBED TRACT:  
BEGINNING AT A POINT 2051.1 FEET SOUTH AND 1570.9 FEET WEST OF THE NORTHEAST CORNER OF SAID TAFTEZON DONATION LAND CLAIM;  
THENCE NORTH A DISTANCE OF 50 FEET;  
THENCE NORTH PARALLEL TO THE EAST LINE OF GOLDIE ROAD A DISTANCE OF 200 FEET;  
THENCE WEST PARALLEL TO THE NORTH LINE OF THE HIGH SCHOOL ROAD A DISTANCE OF 200 FEET;  
THENCE SOUTH A DISTANCE OF 200 FEET TO THE POINT OF BEGINNING;  
ALSO EXCEPT THE SOUTH 3 FEET THEREOF AS CONVEYED TO THE CITY OF OAK HARBOR BY INSTRUMENT RECORDED OCTOBER 1, 1979, UNDER AUDITOR'S FILE NO. 359876, RECORDS OF ISLAND COUNTY, WASHINGTON;  
ALSO EXCEPT THE NORTH 68 FEET THEREOF AS CONVEYED TO TENNIS VANDENHAAK AND SYLVIA VANDENHAAK, HIS WIFE, BY INSTRUMENT RECORDED JULY 27, 1971, UNDER AUDITOR'S FILE NO. 242312, RECORDS OF ISLAND COUNTY, WASHINGTON;  
SITUATED IN THE COUNTY OF ISLAND AND STATE OF WASHINGTON.

PARCEL 'B'  
THAT PORTION OF Z. MARTIN TAFTEZON DONATION LAND CLAIM IN SECTION 35, TOWNSHIP 33 NORTH, RANGE 1 EAST OF THE WILLAMETTE MERIDIAN, ISLAND COUNTY, WASHINGTON, DESCRIBED AS FOLLOWS:  
COMMENCING AT THE INTERSECTION OF THE NORTH LINE OF THE COUNTY ROAD KNOWN AS WHIDBEY AVENUE (HIGH SCHOOL ROAD) AND THE EAST LINE OF MIDWAY BOULEVARD (GOLDIE ROAD), SAID POINT BEING 2051.1 FEET SOUTH AND 1796.5 FEET WEST OF THE NORTHEAST CORNER OF SAID TAFTEZON D.L.C.;  
THENCE NORTH ON THE EAST LINE OF MIDWAY BOULEVARD (GOLDIE ROAD), FOR 450 FEET;  
THENCE EAST 190 FEET TO THE SOUTHEAST CORNER OF LOT 1 OF OAK HARBOR SHORT PLAT NO. 99-4, RECORDED IN VOLUME 3 OF SHORT PLATS, PAGE 309, WHICH IS THE MARTIN'S AUTO ELECTRIC TRACT, SAID POINT BEING THE TRUE POINT OF BEGINNING;  
THENCE CONTINUE EAST 24 FEET TO THE WEST LINE OF THE BYRNE PROPERTY AS DESCRIBED IN REAL ESTATE CONTRACT RECORDED SEPTEMBER 16, 2005, UNDER AUDITOR'S FILE NO. 4147745, RECORDS OF ISLAND COUNTY, WASHINGTON;  
THENCE RUNNING NORTH ALONG SAID WEST LINE OF THE BYRNE TRACT A DISTANCE OF 500 FEET TO THE SOUTHEAST CORNER OF THE TRACT CONVEYED TO VAN DEN HAAK BY INSTRUMENT RECORDED OCTOBER 5, 1966 UNDER AUDITOR'S FILE NO. 189713, RECORDS OF ISLAND COUNTY, WASHINGTON;  
THENCE RUNNING WEST ALONG THE SOUTH BOUNDARY OF THE VAN DEN HAAK PROPERTY 24 FEET TO THE NORTHEAST CORNER OF THE ELLIS PROPERTY, AS DESCRIBED IN INSTRUMENT RECORDED JANUARY 12, 2004 UNDER AUDITOR'S FILE NO. 4088226, RECORDS OF ISLAND COUNTY, WASHINGTON;  
THENCE CONTINUE ALONG LAST DESCRIBED SOUTH BOUNDARY OF VAN DEN HAAK PROPERTY, A DISTANCE OF 179.75 FEET TO THE EAST LINE OF SAID MIDWAY BOULEVARD (GOLDIE ROAD);  
THENCE ALONG SAID EAST LINE, SOUTH 1°38'13" WEST, A DISTANCE OF 42.00 FEET TO A TANGENT CURVE, CONCAVE SOUTHEASTERLY, HAVING A RADIUS OF 12.00 FEET;  
THENCE NORTHEASTERLY, ALONG SAID CURVE, THROUGH A CENTRAL ANGLE OF 89°58'19", AN ARC LENGTH OF 18.85 FEET, TO TANGENT LINE;  
THENCE ALONG SAID TANGENT LINE, SOUTH 88°22'28" EAST, A DISTANCE OF 135.92 FEET;  
THENCE SOUTH 68°49'08" EAST, A DISTANCE OF 25.14 FEET;  
THENCE SOUTH 1°38'13" WEST, A DISTANCE OF 162.00 FEET;  
THENCE SOUTH 88°22'28" EAST, A DISTANCE OF 8.00 FEET TO THE SOUTHEAST CORNER OF SAID ELLIS PROPERTY;  
THENCE RUNNING SOUTH ALONG THE VANDERPOOL, EAST LINE AS DESCRIBED IN INSTRUMENT RECORDED JULY 9, 1966 UNDER AUDITOR'S FILE NO. 96011946, RECORDS OF ISLAND COUNTY, WASHINGTON, THE POLLARD EAST LINE AS DESCRIBED IN INSTRUMENT RECORDED JUNE 5, 1973 UNDER AUDITOR'S FILE NO. 282540, RECORDS OF ISLAND COUNTY, WASHINGTON AND THE MARTIN'S AUTO ELECTRIC, LLC'S EAST LINE AS DESCRIBED IN INSTRUMENT RECORDED APRIL 18, 2005 UNDER AUDITOR'S FILE NO. 4131399, A TOTAL DISTANCE OF 250 FEET TO THE TRUE POINT OF BEGINNING.  
SITUATED IN THE COUNTY OF ISLAND, STATE OF WASHINGTON.

ACKNOWLEDGEMENT

STATE OF Washington  
COUNTY OF Island  
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Todd Johnson SIGNED THIS INSTRUMENT, ON OATH STATING THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE MANAGER OF Business Bank of Seattle TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.  
November 23, 2006

IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED MY OFFICIAL SEAL THE DAY AND YEAR ABOVE WRITTEN,  
Sean Byrne NOTARY PUBLIC IN AND FOR THE STATE OF Washington RESIDING AT Seattle

MY APPOINTMENT EXPIRES 7.11.2010

EASEMENT PROVISION

AN EASEMENT IS HEREBY RESERVED FOR AND GRANTED TO THE CITY OF OAK HARBOR, PUGET SOUND ENERGY, VERIZON TELEPHONE CO. OF THE NORTHWEST, CASCADE NATURAL GAS CORPORATION, U.S. POSTAL SERVICE, AT&T TELECOMMUNICATIONS, INC., AND THEIR RESPECTIVE SUCCESSORS AND ASSIGNS UNDER AND UPON THE PUBLIC ROADWAYS AND UTILITY EASEMENTS (10) SHOWN HEREON, AND ALONG THE ROUTE OF THE AS BUILT OR YET TO BE BUILT UTILITY ALIGNMENTS, IN WHICH TO INSTALL, LAY, CONSTRUCT, RENEW, OPERATE, MAINTAIN AND REMOVE UTILITY SYSTEMS, LINES, FIXTURES, AND APPURTENANCES ATTACHED THERETO, FOR THE PURPOSE OF PROVIDING UTILITY SERVICES TO THE LOTS WITHIN THIS P.R.D., TOGETHER WITH THE RIGHT TO ENTER UPON THE LOTS AT ALL TIMES FOR THE PURPOSES STATED, WITH THE UNDERSTANDING THAT ANY GRANTEE SHALL BE RESPONSIBLE FOR ALL UNNECESSARY DAMAGE IT CAUSES TO ANY REAL PROPERTY OWNER IN THIS P.R.D. OR TO THE HOMEOWNERS ASSOCIATION BY THE EXERCISE OF RIGHTS AND PRIVILEGES HEREIN GRANTED. AN ADDITIONAL EASEMENT IS HEREBY RESERVED TO PUGET SOUND ENERGY, INC. THAT RESTRICTS INSTALLATION OF DRIVEWAYS, PARKING SPACES, AND ANY OTHER VEHICULAR ACTIVITIES WITHIN A FIVE (5) FOOT PERIMETER AROUND ELECTRICAL VAULTS, TRANSFORMERS, PEDESTALS, AND HANDHOLDS LOCATED WITHIN SAID P.R.D., ALSO AN EASEMENT RESTRICTION TO MAINTAIN A TEN (10) FOOT CLEARANCE BETWEEN SAID ELECTRIC TRANSFORMERS AND COMBUSTIBLE WALLS (INCLUDING STUCCO), DOORS, WINDOWS, VENTS, FIRE ESCAPES AND OTHER BUILDING OPENING AND A THREE (3) FOOT CLEARANCE BETWEEN SAID ELECTRIC TRANSFORMERS AND NON-COMBUSTIBLE WALLS (INCLUDING BRICK, CONCRETE, STEEL AND STONE).

DEDICATION

KNOW ALL MEN THAT BY THESE PRESENTS THAT WE THE UNDERSIGNED OWNERS IN FEE SIMPLE OR CONTRACT PURCHASER AND MORTGAGE HOLDER OF THE LAND HEREBY PLATTED, HEREBY DECLARE THIS PLAT AND DEDICATE TO THE USE OF THE PUBLIC FOREVER, THE STREETS AND AVENUES SHOWN HEREON AND THE USE THEREOF FOR ALL PURPOSES NOT INCONSISTENT WITH THE USE THEREOF FOR PUBLIC HIGHWAY PURPOSES; ALSO, THE RIGHT TO MAKE ALL NECESSARY SLOPES FOR CUTS AND FILLS UPON THE LOTS AND BLOCKS SHOWN HEREON IN THE ORIGINAL REASONABLE GRADING OF ALL SUCH STREETS AND AVENUES SHOWN HEREON.

IN WITNESS WHEREOF, WE HAVE HEREUNTO SET OUR HANDS AND SEALS THIS \_\_\_\_\_ DAY OF \_\_\_\_\_ 2006.

SURVEYORS CERTIFICATE

I HEREBY CERTIFY THAT THE PLAT OF "ROSE HILL P.R.D." IS BASED UPON AN ACTUAL SURVEY AND SUBDIVISION OF SECTION 35, TOWNSHIP 33 NORTH, RANGE 1 EAST W.M.; THAT THE COURSES AND DISTANCES ARE SHOWN CORRECTLY THEREON; THAT THE MONUMENTS HAVE BEEN SET AND THE LOT AND BLOCK CORNERS STAKED CORRECTLY ON THE GROUND; AND THAT I HAVE FULLY COMPLIED WITH THE PROVISIONS OF THE STATUTES AND PLATTING REGULATIONS.

Thomas J. Smith  
TUG-500 Edm., P.L.S. #32169

PLAT OF ROSE HILL P.R.D.  
SECTION 35, TOWNSHIP 33 N., RANGE 1 E., W.M.  
OAK HARBOR, WASHINGTON

ACKNOWLEDGEMENT

STATE OF Washington  
COUNTY OF Island  
I CERTIFY THAT I KNOW OR HAVE SATISFACTORY EVIDENCE THAT Sean Byrne SIGNED THIS INSTRUMENT, ON OATH STATING THAT (HE/SHE) WAS AUTHORIZED TO EXECUTE THE INSTRUMENT AND ACKNOWLEDGED IT AS THE MANAGER OF CASA GRANDE APARTMENTS, LLC TO BE THE FREE AND VOLUNTARY ACT OF SUCH PARTY FOR THE USES AND PURPOSES MENTIONED IN THIS INSTRUMENT.  
November 23, 2006

IN WITNESS WHEREOF I HAVE SET MY HAND AND AFFIXED BY OFFICIAL SEAL THE DAY AND YEAR ABOVE WRITTEN,  
Sean Byrne NOTARY PUBLIC IN AND FOR THE STATE OF Washington RESIDING AT Seattle

MY APPOINTMENT EXPIRES 7.11.2010

TITLE CERTIFICATE

RECORDED UNDER A.F.# 4189175

PARCEL NUMBER(S) DEVELOPER(S)/OWNERS

R13335-108-4070 SEAN BYRNE  
R13335-117-3950 C/O CASA GRANDE APARTMENTS, LLC  
P.O. BOX 1113  
OAK HARBOR, WA 98277

COVENANTS, CONDITIONS, RESERVATIONS AND RESTRICTIONS

FILED UNDER A.F.# 4189175

DECLARATION

KNOW ALL MEN BY THESE PRESENT THAT THE UNDERSIGNED DEVELOPER(S) HEREBY CERTIFY THAT THE ATTACHED PLANNED RESIDENTIAL DEVELOPMENT, PLAT OF "ROSE HILL P.R.D." IS MADE AS OUR FREE AND VOLUNTARY ACT AND DEED.

Sean Byrne CASA GRANDE APARTMENTS, LLC

William J. Smith BUSINESS BANK OF SEASIDE COUNTY

APPROVALS

EXAMINED AND APPROVED THIS 12<sup>th</sup> DAY OF December 2006.  
Eric R. Smith OAK HARBOR CITY ENGINEER

APPROVED BY THE COUNCIL OF THE CITY OF OAK HARBOR, WASHINGTON  
THIS 4<sup>th</sup> DAY OF November 2006.

ATTEST:  
Patricia A. Selva Mayor of Oak Harbor  
Conrad Selva Clerk of Oak Harbor

I HEREBY CERTIFY THAT THERE ARE NO DELINQUENT SPECIAL ASSESSMENTS AND ALL SPECIAL ASSESSMENTS ON ANY OF THE PROPERTY HEREIN PLATTED, DEDICATED AS STREETS, ALLEYS OR FOR OTHER PUBLIC USE, REMAINING UNPAID.  
THIS 30<sup>th</sup> DAY OF November 2006.

Douglas A. Herman DOUGLAS HERMAN FINANCE DIRECTOR  
OAK HARBOR FINANCE DIRECTOR

TREASURER'S CERTIFICATES

THIS IS TO CERTIFY THAT ALL TAXES HERETOFORE LEVIED AND WHICH HAVE BECOME A LIEN UPON THE LANDS HEREIN DESCRIBED, HAVE BEEN FULLY PAID AND DISCHARGED, ACCORDING TO THE RECORDS OF MY OFFICE, UP TO AND INCLUDING THE YEAR OF 2006.

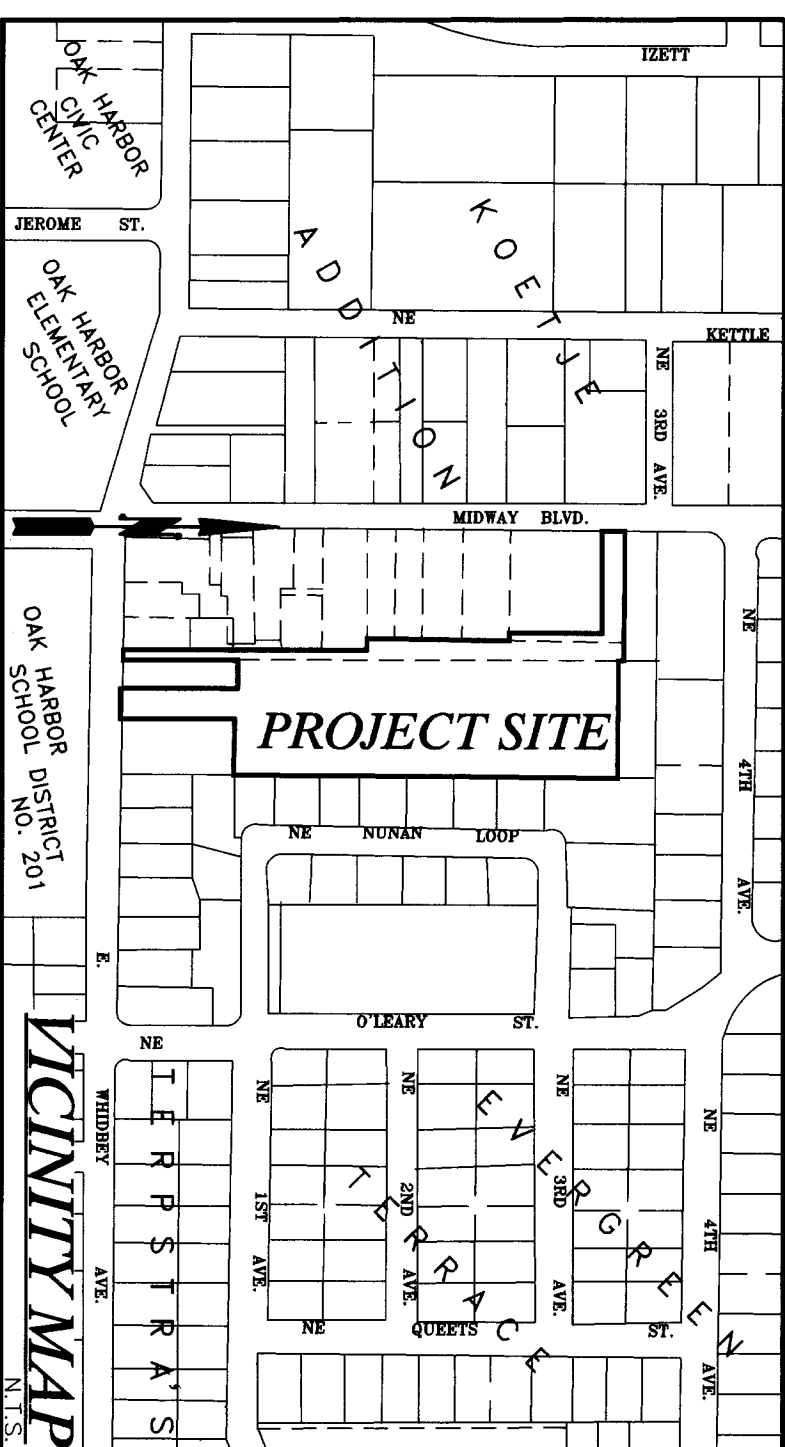
Dana Selva ISLAND COUNTY TREASURER

AUDITORS CERTIFICATE

4/18/9176 AUDITORS CERTIFICATE  
FILED FOR AT THE REQUEST OF Casa Grande Apartments 13 DAY OF December 2006, AND RECORDED IN VOLUME 11 OF RECORDS PAGE(S) 138 RECORDS OF ISLAND COUNTY, WASHINGTON.

Stephen D. Smith ISLAND COUNTY AUDITOR  
Robert J. Smith DEPUTY COUNTY AUDITOR  
05219

SUMMIT ENGINEERS & SURVEYORS, INC.  
2218 OLD HIGHWAY 99 SOUTH ROAD, MOUNT VERNON, WA. 98273  
PHONE: (360) 416-4999 FAX: (360) 416-4949  
E-MAIL: VSK@SUMMITES.COM



NOTES:

1. BUILDING SETBACKS: MINIMUM SIDE YARD 0/5' REAR YARDS 10' FRONT YARDS 20'
2. CERTIFICATION, AS CONTAINED HEREIN, COMPRISES THE DECLARATION OF THE SURVEYOR'S PROFESSIONAL JUDGMENT. IT DOES NOT CONSTITUTE A WARRANTY OR A GUARANTEE, EXPRESS OR IMPLIED, NOR DOES IT RELIEVE ANY OTHER PARTY OF HIS RESPONSIBILITY TO ABIDE BY CONTRACT DOCUMENTS, APPLICABLE CODES, STANDARDS, REGULATIONS, AND ORDINANCES.
3. ALL LOT CORNERS AND THE POINTS OF CURVATURE ARE MARKED ON GROUND WITH A REBAR AND PLASTIC PLUG MARKED "SUMMIT 32169" UNLESS NOTED OTHERWISE.
4. NO PERMANENT BUILDING, DECK, FENCING OR OTHER STRUCTURE SHALL BE ERECTED WITHIN THE EASEMENTS.
5. MAINTENANCE, UPKEEP AND REPAIR OF TRACTS A, B, C AND D AND ANY FACILITIES THEREON SHALL BE THE RESPONSIBILITY OF THE HOMEOWNERS ASSOCIATION.
6. LANDSCAPE MUST BE MAINTAINED WITHIN ALL TRACTS IN ACCORDANCE WITH THE APPROVED P.R.D. LANDSCAPE PLAN.
7. OPEN SPACE TRACT A IS DESIGNATED FOR USE AS A PLAY AREA AND IS TO BE OWNED AND MAINTAINED BY THE HOMEOWNERS ASSOCIATION. OPEN SPACE TRACTS B AND C ARE FOR USE AS A NEIGHBORHOOD TRAIL, STORMWATER DETENTION AND ARE TO BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION. TRACT D IS BEING USED BY THE NEIGHBORING PROPERTIES FOR ACCESS AND OVERHEAD POWER AND TELEPHONE LINES (SEE AF#246219 & #3236172). TRACT D SHALL BE MAINTAINED BY THE HOMEOWNERS ASSOCIATION.
8. IF THE HOMEOWNERS ASSOCIATION DISBANDS, THE INDIVIDUAL PROPERTY OWNERS WILL BECOME RESPONSIBLE FOR MAINTENANCE AND BEST MANAGEMENT PRACTICES FOR TRACTS A, B, C AND D.
9. PUGET SOUND POWER & LIGHT COMPANY FOR ELECTRIC TRANSMISSION AND/OR DISTRIBUTION LINE EASEMENT PER AF#246219.
10. WHIDBEY TELEPHONE COMPANY, INC. FOR COMMUNICATIONS CABLES AND FACILITIES EASEMENT PER AF#3236172.
11. ALL LANDSCAPED AREAS IN THE PUBLIC RIGHT-OF-WAY SHALL BE MAINTAINED BY THE DEVELOPER AND/OR SUCCESSOR(S) AND MAY BE REDUCED OR ELIMINATED IF DEEMED NECESSARY FOR CITY ROAD PURPOSES.
12. THE ROOF LOT DRAIN COLLECTION SYSTEM IS PRIVATELY OWNED AND MAINTENANCE IS NOT THE RESPONSIBILITY OF THE CITY.

